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A True and Impartial
RELATION

Of the whole matters concerning the proceedings
of several Councils of War, against *W. Tompson*, a free Commoner
of England, which may serve for a refutation to a scandalous paper,

entituled, *The Vindication of Lieutenant General Cromwel, and Commissary General Ireton*, and the late proceedings against the said *William Tompson* at White-hall, where he remains prisoner; now published
by him for the better satisfaction of the Kingdome.

Gentlemen,

Re Commoners of England, I stand condemned to die, and
may in probability in short time appear in the presence of
that just and impartiall God, who knows the secrets of all
hearts, to give an account of the truth of all my actions, and
real intentions. And I desire his mercy no otherwise, then
according to the truth of this relation, and therefore I rip up
my own infirmities, because I aim at the truth, rather then justification. To
undecieve those whom partial and untrue discoveries may have beguiled into
a belief: not nothing short of death, can satisfie those unparalleled wicked
actions of late laid to my charge. Therefore I shall begin with the discovery
of my folly about August last, 1647. I was at the *Ostrich Inn* (not in the
night, as is falsely suggested) in Colebrook, by invitation of my Landlord,
where with one M. Cole I plaid at Tables for two pints of wine: And having
plaid for the same wine, we did agree to play five games at Tick-tack for
five shillings, which he wonne, and received of me; and then we agreed to
play another game, as before: In the middle of which game M. Cole plaid
four; upon which I took up the stakes, and after some discourse he acknow-
ledged his errors; I returned his stake to him again, and he promising to
play forth the game, I laid down a twenty shilling piece of my own, which
he immediately took up, and affirmed he had five shillings in the said piece

(I reasoning with him) he called the Vintner, and told him he had five shillings in the said piece, which the said Vintner affirmed, though he was ignorant of the whole matter, upon which occasion we began the quarrel, but I by force wreted my piece out of his hand, though they were both against me. Then the Mistres of the house with other servants, came presently into the room, where we were, which also fell upon me, so that I was much abused, and thrown down there, being so many upon me ; I acknowledge I was constrained to kick, and by such means I could to free my self, as I lay upon the ground, which the Authour of the *Vindication* was pleased to call kicking the Mistres of the house on the face, which I am altogether ignorant of, when I was free, and being enraged, and in the heat of my bloud (I confess) fetcht my Rapier, my man, and one of my fellow-soldiers to assist me, and went to the said Inne, and asked for the Vintner, and the said Cole, at which time passion being on both sides more prevalent then reason, I drew my Rapier, and there were some blows on both sides, and I thinke some few drops of bloud was drawn, and one of them shewing a little scratch or prick, as if with a pin, out of which came a drop of bloud or two ; and it was alledged by them, that I laid felonny to their charges, and that they had taken twenty pound from me ; but I presently answered, That I rather faid, or at least intended twenty shillings, and never declared it to be any more : Which passion being over, I have here laid open for truths sake my extream folly, which I doe not so much as in a thought justify; but condemn, as the evil consequence of so bad expence of time. But to go on with my Relation, both parties thought themselves abused, and by a Warrant I brought them before a Justice of peace nigh Colebrook, before it was fully reconciled, but for your better satisfaction, I shall insert under the Justices hand, viz.

Bucks. These are to certifie all, whom it may concern, That whereat a controversie was betwixt Corporal William Tompson of Captain Pitchfords Troop in Coloneel Whalias Regiment, and M. Tho. Cole of Wraysborough in the County of Bucks, Tho. Sill, Wil. Woodfind, Wil. Moors, Phillip the Ostler, Mistris Milles, and other servants to the same Mistris Milles in Colebrook in the said County, who all appeared before me, I have heard fully the allegations and proofs of both sides, and upon the whole matter did finde cause to move the parties on both sides, to agree the busynesse amongst themselves, and they are agreed. Accordingly in witness whereof I have hereunto set my hand this second day of Septemb. 1647.

Tho. Bulstread.

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But notwithstanding this my Captain having some prejudice against me, as longe he hath declared, in regard I did appear in the prosecuting against Lieutenant Savage, as a Dissenter at New-market from the engagement of the Army, being it seems glad of such an opportunity, improved his time to bring the busines fresh upon the stage, and went himself to the house to enquire of it, and though in my hearing the parties in the house, declared they were agreed before a Justice of Peace, yet he it may be fearing the want of such an opportunity to cast me out, procured a relation of the busines, and himself complained of it to a Council of Warre, consisting of some of the Officers of that Regiment. At which Council I did declare being examined of the truth of the peoples relation, something was true, and some false, and also urge the argument that was between us, as afore-said, so I was command-ed to with-draw, after the debating of the busines I was called in, where Rob. Swallow Major, being president of the Council, did a little enlarge himself in expressing the great favour towards me in consideration of that experience, which they had of my good service to the Parliament and Kingdom: then a paper was read, to which I was required to set my hand, which was an ac-knowledgement of a Scandal to the house, which after I had perused, I told them, though the difference was ended before, yet if this might put a full period to the matter, I was willing to subscribe it. The Major answered, the businesse was ended, upon consideration whereof, I set my hand to it; And being thus surprized, then the Major said in these words, M. Tompson, the Council have further order'd, that for your abuse to the servants of the said Mistres Mills, you are to be cashiered at the head of the Regiment, the next Rendezvous. In the mean time you are to be disarmed, and to be com-mitted into the Marshals hands, I replied, I thought it was hard measure, and the like. Notwithstanding which I was committed into the Marshals hands by an order under the Majors hand, which I shall insegt, viz. prov'd

You are hereby required to receive into your charge and safe custody the body of Will. Tompson, who is committed by order from the Council of Warre, and him to keep care-fully, untill further order from the said Council, fail not. Dated this 14. of September, 1647. Rob. Swallow Major, and the Council of Warre. To the Marshall of Collonel Whalies.

To the Regiment, or to his man either.

There was a Rendezvous the next Tuesday following at Rippy in Surrey, at which Rendezvous there was a Muster, but the Marshall having no order, brought me not thither, but I was put forth the Muster Roll, and another Mustered in my place; and my man in actuall service in the Troop, was also denied the Muster, though there were some arguments used by the Troop in

my behalfe to be Mustered, yet it could not be granted; yet though they denied me the priviledge of a Soldier, I was continued in the Marshals hands, some fifteen or seventeen daies; after which time the Marshall received an order to dismisse me, under the Majors hand; upon the receipt of this order, I went to the Troop, and lookt upon my self in the condition of a Soldier, till the sentence was executed upon me: but having some discourse with the Major, my Captain, and other Officers about it, they told me I was cashiered the Rendezvous aforesaid; then I demanded a reason of my imprisonment, since that time, they not being able to give me any reason, knowing that they had either wrong'd me in not Mustered me as a Soldier, or else in keeping me in prison, not being in the condition of a Soldier; Yet they manifested much bitterness in their hearts against me, by menacing words; and withall, Capt. Pitchford strook me, and they refused to suffer me to have any Quarters in the compasse of the Regiment: yet I told them I should look upon my self in the condition of a Soldier, untill their own sentence was executed upon me; in which time I received an order from my Captain, to depart the Quarters of his Troop: but I returned him answer, untill such time as the sentence was executed, I should look upon my self in the condition of a Soldier, and so subscribe my self to be under his command, to doe my duty in my place: So I continued in the Quarters of the Troop, untill such time as there was a Rendezvous at *Odham*, in *Hampshire*, the Colonell being there, some of the Troop moved him concerning my busines, after much debate, alleadging some things in my own behalfe, v.i.z. The testation under the Justices hand, and the Generals own order made at *Northampton*, and my imprisonment by them, and denying to muster me: The Colonell told me, I might appeal to the Councell of Warre, at the Head-Quarters, if I conceived the Regimentall Councell had done me any wrong: I answered, I thought that remedy would be worse then the disease, being that I must accuse the whole Council, I could expect little remedy there: so with other arguments, did press him earnestly to take it into his serious consideration; after al which discourse, the Colonel drew forth the Troop, and read a Letter that came from the Generall, in the behalfe of Lieutenant *Savage* before mentioned, to be re-admitted into the Troop: but the Troop declaring their readinesse to obey the Generall in all his lawfull commands; yet they did humbly conceive, That the said Lieutenant was guilty of being cashiered at the least: The Colonell perceiving the Troops unwillingnesse to accepte of the said Lieutenant, he used this as an argument, that in case they would accepte of the Lieutenant, they should have *Tompson* to be their Corporall as formerly; in all which time I speake not a word by way of appeal to the Regiment, as is falsely suggested in the paper, intituled,

tituled, *The Vindication, &c.* Therfore you may see my offence was not in it self unpardonable, in case the Troop would have accepted pf the said Lieutenant, but the Troop preising to have a legall triall for both, and said that was all they desired. The Colonell being offended with the Troop that they would not accept of his proffer, went from them, but withall promised a legall triall for both, these words was spoken in the head of the Troop, by the Colonell: but a question was asked him, how I should doe for Quarters in the mean time? The Colonell ordered I shoule Quarter with the Troop, but he departing the Field, the Major with other Officers of the Regiment, called me unto them in the head of the Regiment, and commanded me to dismount, I replied my Horse was my own, and if he pleased he might pull me down, but he went on and caused the sentence of cashierment to be executed in the head of the Regiment, after the execution whercof, I did not esteem my self (nor right was) a Soldier of the Army. Yet conceiving my self extreamly injured in my reputation, I did declare in the head of the Regiment my integrity to the Liberty and Freedomes of *England*, and theirs and my fidelity to the Army, not as is scandalously suggested, to periswade the Soldiers to resist their Officers, I not speaking any thing to that effect, but to clear my self of that seeming guilt, which cashierment might have cast upon me.

After this being no Souldier, I repaired to my own ordinary occasions, leaving the Army within three or four daies at the most: But I dare speak in the face of the World, That I challenged not the exercise of my Office after that time; being after this for sundry weeks about my own businesse, as a free-man of *England*; but their falling out not long after in the Army, some difference concerning the Engagements for the Peoples Freedomes, and I freely confess, an absolute dissatisfaction in me of the ruling part of the Army, which constrained me to act contrary to their proceedings; and I went down to Colonell Fleetwoods Regiment, when they were in *Suffolke*, and carried with me the Agreement of the People, and some other papers, and declared in the head of that Regiment (not as Mersenary Soldiers, but as free-born Englistmen) to Colonell Fleetwood and the rest of the Officers and Soldiers my full dislike of the present actions then in the Army, and finding an opposition of the said Colonell and his Officers, I more particularly applied my selfe to the Sculdiers and Agitators, as having a Letter directed unto them from some free-men of *England*, which was read in the head of the Regiments, but Colonell Fleetwood and his Officers, did endeavour to dissuade the Souldiers from hearkening unto any thing that shoule be spoken, though never-somuch for the preservation of themselves and the Kingdome, for that onely was purely and simply my end in whatsoever I delivered unto them, yet did

not appear among them as an Adiutor, as falsely laid to my charge; but in our discourse it was questioned, what I was, and from whence I came. It was answered by some that did know me well, That I did belong to Colonell Whales Regiment, and this was the summe of what past concerning that particular to my best remembrance. Then after the Rendezvous at Kingston, I came to Captain Pitchford, and desired of him a Certificate for the time, how long I had been under his command, but his answer was he could not till he spake with the Colonell, so he appointed me the next day to waite upon him, which I did accordingly, and at Kingston we met with the Colonel, but when he see me, all that he said unto me, was only this, Ile commit thee, with some other menacing words, and would not admit me to speake one word for my selfe. The Marshall not being in town, he gave expresse command to Captain Pitchford (who hath since that time laid down his Commission, and hath been questioned by some of his Souldiers, for unjustly depriving them of their pay, which he hath received for them; who lives now at the Star in Cheap-side) and his Cornet forthwith to carry me to Windsor, to the Marshall Generall, whiwh was accordingly done that night without any warrant, or expressing any cause: within four or five daies the Colonell with some other Officers gave in Depositions against me, which to this day I never see; out of which Henry Whaley Judge-Advocate, Brother to Colonell Whaley, drew up a charge against me, under this notion, *Articles exhibited against William Tompson, now or lately Corporall in Captain Pitchfords Troop, &c.*

A Councell of War was called, where Commissary General Ireton was present, for the tryall of my cause: Unto which Articles, I returned an answer, being no member of the Army, from the place where I lived, declaring my selfe to be a free Commoner of England, and no Souldier, according to the Sentence of the Regimentall Counsell against me: and further I declared, That they had no legall power of questioning me for any regall or pretended Crime whatsoever; And I appeale unto the civil Law as my legall and competenter Judge: I manifested my selfe to be ready to answer any charge that shall be lawfully fyled against me, according to the justice of the same Law. But after much interrogation to prove me a Souldier, at last it was put to the vote in that Counsell, but was carried in the negative, That I was no Souldier; yet I was continued in the Marshals custody still as prisoner, but when they could not prosecute against me under the notion of a Souldier, they drew up another Charge against me, under the Notion of a Spitt, and a seditious person, fomenting distractions in the Army: unto which I returned an answer, something suitable to my answer to their first Charge: and withall declaring, that I conceiving those Articles were more envious then good,

good, or proceeding from a sound and Christian judgement, and withall demanded reparation for my unjust imprisonment : at this Councell, Lieut. Generall Cromwell was President. The whole busynesse was fully scand and debated with redoubled questions of interrogatories, but I keeping close to my first principle, they ceare to passe any sentence at all upon me, but only refer the busynesse to the Generall, under the notion of their great favour and love towards me, by my Colonels means and others in the Councell, who spake much in my behalf : their advice to me was, That there was no way for me, but to cast my self down at the Generals feet by way of Petition, and to confess my error in appealing to the Civill Power for the triall of my cause. And the Judge-Advocate Sir Hardres Waller, with others, told me if they should refer me to the Parliament, it would be my ruine, but I having much discourse with most of the Officers at the Head-Quarters, and could not receive no satisfaction in my conscience, I could not petition : So I went to the General, and desired to know his Excellencies pleasure concerning my enlargement, but he giving me no full answer, I went to the Lieutenant General, declaring the whole nature of the busynesse unto him, who at that time seemed much to be affected with my relation, and appointed me to wait upon him the next day, which I did accordingly, but he told me he could doe nothing in my busynesse, so I askt him leave for two or three daies to supply my necessaries, which he granted me, I promiling to returne again as prisoner ; which accordingly I did, and was with the Judge-Advocate, and the Marshals deputy, and there rendred up my self as before a prisoner, and lay two nights in the same bed with my fellow prisoner; in which time, I delivered inclosed in a letter to Master Rushworth the Generals Secretary to be delivered to his Excellency, my plea and protest against the proceedings of his Council of Warre against mee. In which I gave his Excellency to understand therein, that I acknowledge in them no jurisdiction over me, I being a free Commoner, and that I would use all means, I could for my freedom (a) which the Authour of the *Vindication* was pleased to term a breaking of prison, and running away, contrary to my engagement, the which censure I leave to the rational to judge of. After this I went about my lawfull occasions, but within short time, I heard of their exclarinations against me, so I went to the Lieutenant General at Derby house, and acquainted him with what I heard : after much discourse I parted from him, he then was so farre from imprisoning me, that he was pleased to promise me many courtesies concerning my Arrears and other things, and appointed me to that end to wait upon him

(a) Which said plea
and protest is since
printed, & also re-
printed in the 45,
46, 47, 48, 49, 50,
51, 52, pages of
Lieutenant Colone
John Liburns late
book, called, The
peoples Preroga-
tive.

at

at some other time, which accordingly I did. And likewise severall times met the Marshal General, and had some discourse with him, and told him, I was ready to answer any thing that could be legally laid to my charge. I am confidant also, that Commissary General Ireton was not ignorant of my being thus publike for many weeks together about *Westminster-hall*, where I spake with Lieutenant General Cromwell two or three times, who was seemingly ready to serve me, according to his former expressions, but upon the 26. of February, I being about my lawfull occasions at the House of Commons door, to speak with a Member of the said Houle, Lieutenant General Cromwell, and Commissary General Ireton coming forth of the House, I not giving any occasion either in word or action, was by them committed prisoner to the Guard, at the said door, I asking the reason of this my sudden constraint, the Lieutenant General told me, That I was a bold impudent fellow, and he would pull down my high spirit, adding, he would take a couple with me, and leaving me in the custody of the afore-said Guard, commanded an Ensign with a file of Musketeers, who by violence and force of Arms, carried me prisoner to *White-hall*, without producing or alleadging any thing against me, but the bare Command of Lieutenant General Cromwell, where I was continued in the Marshal Generals custody, till Febr. 1. before any thing was laid to my Charge: upon which day I was called before a Council of War in *White-hall*, where the General was present, with severall other of the general Officers, I being called into the Council, I demeaned my self with all civillity and respect, as they were Gentlemen, but withall declared, that I could not in the least submit unto them, as a Court having power to take Cognizance of any reall or supposed crime that could be laid to my charge, I being by their own Votes no Member of the Army; but I declared, That if they had any thing to lay to my Charge, the ordinary Courts of Justice were all open and free, where I shou'd be ready to answer what could be legally objected against me: but they not regarding what I said in this nature, went on to proceed against me, according to Marshall law, though it is now a time of Peace. They asked me several Questions concerning my letter and my plea, which at *Windsor* was delivered to the General, and whether I would own it or no? I declared, I did own it as my Act, and give it in, as my ultimate resolution; but Lieutenant General Cromwell, asked me, if I was a Gentleman free Commoner, which I took as a jeer, and asked him, if that the word free Commoner was become a derision amongst them that did pretend to be a Court of Justice? Upon which he called me a mutinous fellow, and began to make an Apology for himself, concerning taking me from the House of Commons door, who did not scruple to say, That was the first time

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time he see me since I had run from *Wmdor*, but I going to make an answer to what he spake, he bid me hold my tongue. The Judge-Advocate began to reade my Protest, so at present I was deprived to give him an answer; but when the Judge-Advocate had made an end of reading, I told him of his great mistake, as is before mentioned, concerning his first time of his meeting with me, then he told me, I was not so good as my word, in not keeping on my Hat according to my protest, I answered there was no time past, but that I might perform my promise in that particular: then turning to the Generall told him, I had nothing more to declare unto them then what I had already said, so I should humbly take my leave.

So going towards the door, I put on my hat, but *Richard Laurence Marshall Generall*, in the presence of his Excellency and the Councell, struck me a box on the eare, and also struck off my hat, and laid violent hands upon me; after which I manifested my selfe more resolutely, declaring them to be actuall destroyers of the Lawes and liberties of *England*, and so were become the greatest Apostates in the World; for they had declared to preserve the Lawes and liberties as aforesaid, in all their Engagements and Remonstrances, published to the view of the Kingdome, upon which I threw *Magna-charita* and the *Petition of Right* upon the Table before them, then presently Lieutenant Generall *Cromwell* commanded I should be taken away and laid in Irons, and I was presently forced into a little room near by, where I continued with a guard upon me; but within some few hours I was called to come into the Court, but I denied to go, saying, That I could not be so much a traitor to my own and the Kingdoms liberties, as to betray them into the hands of tyrants; and further I said, My legs should not be so much serviceable to my body as to carry me: But notwithstanding this, the Marshals men told me, If I would not goe, they must carry me; so I being not able to resist their power by reason of their strength, I resolved to manifest my integrity to my native Countries Freedom by being meerly *passive* in their hands, whereupon I set me down, and they carried me by the legs and armes before the Generall, and as they brought me, so I lay: then Commissary Generall *Ireton* begun to aske me severall questions; but I replied, I scorn'd to answer him in the least to betray my liberty as aforesaid; and withall declared, I was meerly in their hands because they were stronger then I, even in the same nature of Theeves and murderers: But he continued in asking me questions as I lay upon the floor, I stoping my ears, & deni'd to hear them, they carried me back in the same nature as they brought me in; after some two or three hours, I was cal'd in again to go hear my sentence, but I being passive, they carried me in as before mentioned; but the General then was gone, I was commanded to stand up, but I told

them, That I was unwilling my legs should bear me to stand before them: but by force I was holden up, then I stopt my eares, they commanded my hands should be pulled from my ears, then I said unto them, They might murder me if they would, for I was in their power. And I further said I scorn'd their mercy, and despised their cruelty, for it was all one to me to die by a sword, bullet, or halter from them, as from a common enemy; while I was thus speaking, the Judge-Advocate read three Articles of War, the first was, That no man shall utter any words of sedition or uproare, upon pain of death. The second was, That no man should stay above three daies in the Army, except he was actually listed in some Troop or Company, upon pain of death. The third was, That no man shall contemne the Court when they are sitting in Court of Justice, upon pain of death: he further said, The Council had found me guilty of those three Articles, and I must die for it, and the Commeill had done me so much favour, as I shoule be shot to death. I answered in these words, Be it known unto you that I scorn to beg favour at your hands, or to petition for my life, I said my bloud would be required at their hands; then the Lieutenant Generall asked me, by whom, I said surely the Righteous God will revenge the guilt of innocent bloud: but then they expressed their great sorrow for me, I answered, I did not value their sorrow, but wisht them to be sorrow for themselves, and be carefull to keep their heads on their shoulders, and withall I said unto them, That the God whom I served, would make me able and also willing to be cast into the hottest fiery-furnace, that they could provide for me, rather then I should stoop or kneel in the least, unto that Image which they endeavour to set up; thereby to betray the Liberties and Freedomes of my dearest Country, in the hands of Tyrants and opprefsors; Then Lieutenant Generall Cromwell commanded that I shoule be kept close prisoner, and that I shoule not be admitted to have either pen,anke or paper; which was accordingly obeyed. The Marshal-General gave command that I shoule be cast into the low prison, and to be laid in Irons. Yet they have not allowed one farthing of maintenance since the time of my first imprisonment.

Thus circumspect Reader I have given you a clear and impartiall relation of the substance of all that ever was objected or alleadged against me, from the beginning untill this present day; in which I have not in the least endeavoured to clear my self from the fruits of infirmity or passion. But as for the scandals fixed upon me in the later end of that paper, called, *The Vindication*, concerning my communicating of other mens goods and doing what I will, I conceived ariseth from my own folly in the quarrel, at the first spoken of; I desire my life may not be measured by one simple action; for such contentions

as aforesaid, are certainly rather from passion, then solid reason, and yet I might probably live: if one without sin or folly were to throw the first stone at me, I have not in the least endeavoured to throw dirt upon any, but give a clear and full relation of the whole businesse, though in many particulars against my self; for which if I have deserved punishment, I desire to suffer it in a lawfull way. If any shall question the truth of this relation, I desire my life should depend upon no surer foundation, then the truth hereof.

And thus taking my leave, whether living or dying, I shall by Gods gracious assistance, perfitt in the profession of my integrity to my dearest Countries Liberty and Freedomes, with faithfulness to those principles, which the Army under the Command of Sir *THOMAS FAIRFAX*, (who are now my Judges) once Declared.

Dated at *White-ball* (the place of my illegall captivity)
the 12. day of *March*, 1647.

William Tompson.

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